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Thomas Dale M.D.

*Common Safety* the Cause and Foundation of *Human Society* ;  
or an Examination of the RIGHTS of *Individuals to Personal SECURITY*, and how far those Rights may extend to  
*the altering, dissolving, or forsaking any GOVERNMENT*,  
that shall cherish *Murderers*.

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AN ANNIVERSARY  
S E R M O N,

PREACHED IN THE PARISH CHURCH OF

*St. Mary, Newington Butts, in Surry;*

ON WHITSUNDAY, 1769;

Being the Sequel to that occasioned by the Murder of

Mr. WILLIAM ALLEN the Younger,

On the Bloody Tenth of MAY, 1768;

A N D

Published at the Request of his Friends as a *Remembrancer*,  
to prevent the *Continuation* of POLITICAL MURDER.

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BY JOHN FREE, D.D. *κ*

Vicar of EAST COKER, in SOMERSETSHIRE; Sir JOHN LEMAN'S  
Lecturer of St. MARY HILL, LONDON; and Lecturer of NEW-  
INGTON BUTTS.

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The LAWS of *Society* being established for the Preservation and  
Convenience of Mankind, they are never to be interpreted in such  
a Manner, as to admit of the Hurt of any *particular Person* :  
When therefore any one gives me Apprehension of my *De-struc-*  
*tion*, [exitio meo imminet] or hangs over me for my *De-struc-tion*,  
no *Law* can command me to betray my own Safety so far, as to  
suffer another's Villainy to be carried with *Impunity* to Excess—

For I am not sure but that he may pass from those Injuries to  
*greater* : and the Man, that has declared himself an *Enemy*, has no  
*Security* from the Law, to hinder me from doing with him, as *I will*.

PUFFENDORF, of the Duties of a Man and a Member of a  
Commonwealth. Book I. C. v. Latin Edit. Cam.

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The SECOND EDITION.

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L O N D O N :

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T H E

D E D I C A T I O N.

To the AUTHORS of

Certain late ADDRESSES, &c.

TOOLS, SLAVES, and SYCOPHANTS,

**A**S you have lately made several Attempts to delude the People at a Distance from the *Capital*, by the fulsome Flatteries, and Falshoods contained in your *Spurious* and *Mock* ADDRESSES, which, to the Disgrace of this Nation, have lately been *exposed* in *Print*: suffer us, as the Friends of *Truth*—the *Laws*,—and the *Constitution*,—for the Sake of *publick Information*, which has always a very great Influence upon the *publick Good*; suffer us, I say, in the Midst of this your *Cloud* of Flattery, to bring to Light some of those *hidden Things of Darknest*, which operating *secretly*, and under the *Veil* of your *false Colourings*, may

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otherwise be productive of very *fatal Consequences*; I mean those INDULGENCES to *Murder*, which you call *mild and gentle GOVERNMENT*, and those *Evasions* of the LAWS, by rejecting *Indictments* in *Capital Cases*, which not only hinder the well-being, but even endanger the very *Existence* of a STATE.

To expose your Want of *Integrity* therefore in Matters of such high Importance, and to do some Justice to my *bleeding Country*; I publish this Discourse, with a Register in the Appendix, containing a brief History of some such Transactions, as appeared at the End of the SERMON, which I preached last Year upon the Murder of Mr. *Allen*; whereby the World may judge, whether the MEN, who seem to be so much the *Objects* of your ADORATION, and to whom you burn such *Incense* as is a *Stench in the Nostrils* of all the good People of ENGLAND, deserve all those *Eastern Prostrations*, those high ENCOMIUMS and THANKSGIVINGS, which you have so plentifully, though we cannot say *unsolicitedly*, bestowed upon them.

The *Generality* of the World differ greatly from you in Opinion; and believe, that you will find it very difficult to give *Truth* and *Reality* to not only the *Ideal Blessings*, you pretend to receive; but also to *Persons* and *Characters*, to whom you profess such high Obligations.

For excepting what we gather from their *Measures* of Government, and publick Conduct (which are all a dead Weight against them,

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them, let them be who they will) we think, considering their many impenetrable Arts of *Hypocrisy* and *Concealment*, and the great *Necessity* there often is of being *concealed*, that it is almost as hard for you to fix and ascertain the *Personage* or Character of what we call the *Ministry*, or *Prime Minister*, as that of the ancient *Assyrian* and *Persian* *KINGS*, who, according to \* *Justin*, and other Authors, were so immured in the *Palace*, or locked up in the *Gardens*, that it was impossible for the People to know whether they were *Men* or *Women*, or whether they had *Eyes*, *Ears*, or *Understanding*, till their *Reign* was at an End.

The *worshipping*, therefore, of these *hidden* *Idols*, who borrow all their *Majesty* from *Invisibility*, and who can reign no longer than while their *Tricks*, and Persons, can be well concealed, was in itself, to say the least of it, a most contemptible Kind of *Idolatry*, a Prone-ness to *worshipping*, though you *knew not what*: but the Attempt to enlarge the Error,

\* Thus *Semiramis* governed for poor *Ninyas*, while the deluded People thought it was her *SON*; till, coming to the Use of his Understanding, at the Age of 40 Years, he cut her off. After the same Manner, in succeeding Times, *Oropastes* the *Magian*, personated and used the Name of *Smerdis*, which Things (says the *Historian*) being suspected by *Ostanes* a noble *Persian*, and a Man of deep Sagacity in his Conjectures, he sent a Message to his Daughter, who was detained as one of the *Royal Whores*, or *Maid of Honour*, to know if it was actually the *Son of CYRUS* that was *KING*? She answered, "that she neither knew herself, neither was it possible to get Information from others, as the Women were all shut up in different Apartments by themselves."—He then orders her to examine the Head of him, when he fell asleep; upon which Examination, she made this *Surprizing Discovery*, namely,—“That the *King* had really no *Ears*!”—See *Justin*, Book I.

and

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and to offer up *Falshood* instead of *Truth*, was TREASON against *Society*, which had a manifest Tendency to overturn the STATE.

For supposing your *Fellow-Subjects* had been so far seduced by your *Influence* and Example, as to have been *Partakers* in your CRIME,—it is very evident that by prostituting *public Approbation*, they must have promoted a *general Deception*, and thereby given a Sanction to the *worst of Measures*, abetted and defended by the *worst of Men*.

Look back, I beseech you, through the *Annals* of the *Reigns* of the two first illustrious PRINCES of the *House* of HANOVER, in which *House* we have a Right to expect (as the *Patrimony* which we have given them is one of the noblest in the World) and in which *House*, we are determined to find, in spite of all *Abettors* of TYRANNY, a \* PROTECTOR of our *Laws*,

\* Although the *Author* of this SERMON has fully made out in several of his *Political Works*, that, supposing there were any such Thing as *Hereditary Right* to this Crown, that such Right would belong to the House of *Brunswick*; and has exhibited at one View in a *Genealogical Table* at the End of his second *Antigallican SERMON*, the several *Connexions* of that *House*, as well with the Founders of the *Kingdom of ENGLAND*, as also with the *Princes* who have worn the *Crown* both of *England* and *Scotland*, not only before the *Marriage* of his Majesty's Ancestor with the *Family*, who take the Name of *Stuart*, from bearing the Office of *Steward* to the *Scotch king*, but even before the *Existence* of such a *Family*: yet, notwithstanding all this, he is of opinion, that such a *Right* hath hardly ever been regarded but as a Matter of *Courtesy* and *Complaisance* to PRINCES; which therefore can never support them in any *Claim*, without the *Consent of the People* obtained upon other *Motives*. Because he is well assured, from ancient *History*, that by our old CONSTITUTION, the *English Kings* were



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*Laws and Liberties*;—Look back through their Annals, I say, and shew me if you can, any the least Traces of—\* *long premeditated* POLITICAL Murders——or Murders of any Kind, so openly, so *avowedly* authorised, or so *wantonly* pardoned, as we see them now,—pardoned in direct Opposition to a Law so express and rigorous in demanding speedy Punishment, that our late *Gracious* SOVEREIGN, a Prince of great MERCY, but at the same Time of as great JUSTICE, would not in a Case of MURDER, though committed through *Phrenzy*, extend that *Forgiveness* to one of the † first *Nobles* of the Land, doubly descended from our ancient *English* KINGS, which is now *insolently* indulged (because they have been the most effectual Instruments of Tyranny) to People who are the very *Nuisance of Society*, and the Scum of the Earth.—I say, because they have been the *most effectual Instruments* of TYRANNY,—for can there be an Instance of TYRANNY of a *deeper Dye*, or of more *dangerous Consequence* than—the *driving of the English Subjects*, by MURDER, *from the Choice of their own REPRESENTATIVES*?—a Privilege so essential to the *Security*

were all of them *Temporary Magistrates*, like the Dutch STADTHOLDER, or the old *Roman* DICTATOR; and that the Office went from one *Family* to another; just as the Abilities of the Man made him more or less capable of serving the Publick; as may be seen in a *Political Poem* of the *Author's*, called the *Voluntary Exile*, sold by *William Bingley*, opposite Durham Yard, in the STRAND.

\* See Numb. II. and III. of the *Appendix* to this SERMON.

† Lord Ferrers.

of

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of their LIVES and LIBERTIES, that whenever it is taken from them, they must lie at the Mercy of their *Masters*, to be at their Pleasure either *murthered*, or *enslaved*.

For supposing at any Time, in a Case of MURDER, that the *Laws* should be superseded by the *Artifice* of a JUDGE, or that the KING should pardon it——what *Security* would there then remain for your *Lives and Liberties*? If an *House of COMMONS*, instead of being the *Representatives* of the PEOPLE, to assist them in demanding *Justice*, should appear upon such an Occasion to be the *Creatures* of another POWER, and turn a deaf Ear to the Cries of a *Fellow-Subject's* Blood?

And can you see nothing in the *present* Management of Things, which is *familiar* to this? What was the Case upon the Murder of that innocent young Victim, *Mr. Allen*? What was the Case, to say nothing now of the MASSACRE in *St. George's Fields*, what was the Case upon the more recent MURDER of *Mr. Clark* and *Mr. Hopkins*?—Blush, then, and be ashamed, ye vile *Deluders of yourselves*, and *Deluders of MANKIND*.—Are these the *Circumstances* of the Times, which you can glory in, and make the Subject of *Praise*, and *Panegyrick*? When they ought rather to be accompanied with Publick Mourning, with *Penitence*, *Fasting*, and *Lamentation*.

Could you, with the Face of AMALEKITES, go into the *Royal Presence* DELICATELY? When the SWORD had made so many *Women* childless;

*childless*; when there was not only such COMPLAINING, but such HOWLING *in our Streets*? I say, was this the Season to deceive that Majesty, you profess to revere, by giving him *false Information*, and paying *Addresses* to his THRONE, with a *Lie in your Right Hand*?

You may think, perhaps, that I have urged these Matters with some Degree of *Vehemence*; but the Case demands it. ZEAL in the Cause of LIBERTY is a *public VIRTUE* in which I have been *trained up from a Child*; and, therefore, it is no Wonder, if, when *I am Old*, I *should not depart from it*. It is a VIRTUE generally *disinterested*; and often found to be of greater Service to the PERSON, whose Cause it *espouses*, than to the Person whose good QUALITY *it is*. As for the Share, which I possess of it, it has had it's *Uses*, and may have them again—it engaged me in the Service of the House of HANOVER, and lent them no contemptible Assistance in a *dangerous REBELLION*,—and it will be well employed, if, by rescuing the KING out of the Hands of FLATTERERS, *as my Duty is*, it should prevent the like Misfortune from happening again. I am, with good Wishes for your Reformation,

Your Servant upon Occasion, &c.

Newington-Butts,  
May 15, 1769.

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A N

## Anniversary Sermon,

For the Tenth of MAY, 1769, against  
*Political MURDER.*

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GENESIS, CHAP. IV. VERSE 14.

*Behold thou hast driven me out this Day from the Face of the Earth, and from thy Face shall I be hid, and I shall be a Fugitive and a Vagabond in the Earth; and it shall come to pass, that every one, that findeth me, shall slay me.*

**Y**OU have in these Words some Account of the heavy Sentence, and bitter Agonies of *Cain*, after the Commission of a Crime the most horrid upon Reflexion, and most shocking to human Nature, the Destruction of a Fellow-Creature—the *Image of God* in one Sense—and, the Wickedness of his *Disposition* excepted, in every other Respect, the \* *Image of Himself*.

\* *Nihil est unum uni tam simile, tam par quàm omnes inter nosmet ipsos sumus.*—Cicero. *Perdendus mei similis.*—Puffendorf.

What



*Anniversary Sermon against Political Murder.* 3

What adds Something to the *Terror* naturally conceived upon such an Occasion, was the *Novelty* of the Offence, it being the *first* Transgression of the Kind that we read of in History; and, therefore, not only more affecting to the Murderer himself, but also to the Beholders, who, from this first Outrage upon Humanity, must begin to look upon the World as a cursed Habitation, having such a Spectacle before their Eyes as *Man* destroying *Man*—Creatures the first in Dignity in the visible Creation, just recent, as it were, from the Hands of their Creator, and yet the one defeating the Purpose of the other's Being, and extinguishing in his *Brother*, and that Brother's *Posterity*, a then considerable Part of Human Race.

Was the *first* STATE of NATURE then, a STATE of *War*? and Men in *single* SETTLEMENTS, and OCCUPATIONS, necessarily in a State of *Danger* and *Enmity*? Could RELIGION do nothing to prevent Bloodshed?—And was the only Remedy to be found for these *Evils* the *friendly* Succour of a COMMUNITY, and the *additional* Power derived from ASSOCIATION, and a *Commonwealth*?

This should seem, by what is here related, to have been the CASE; and that in those very early Times the *Instinct* of NATURE, assisted by the *Dawnings* of REASON, pointed out to Men, that RELIGION, unless it were *genuine*, could not of itself be depended upon as an *Instrument* of *Peace* and *Quietness*: But that the *chief*, if not the only *publick* Security for their PERSONS, or PROPERTY, was to be found in the *wholesome* LAWS of a *good* COMMUNITY, it appearing from this History, that Religion might be pro-

4 *Anniversary Sermon for the 10th of May,*  
ductive of *Divisions*, and consequently of *Dis-*  
*orders*. For by what we can gather from hence,  
it seems in one Family to have been distinguished  
into two *Kinds*, namely, the *Religion* of those,  
who called themselves the *SONS OF GOD*, and  
the *Religion* of those who were styled the *Sons*  
*of Men*; of one of which *Sects* ABEL was  
supposed to have been the Head; and of the  
other CAIN; and their Opinions in this Respect  
most likely opposite: it being very evident from  
the *Relation* of the *FACT*, that it was some  
Matter of Religion, which had made the Differ-  
ence between the two Brethren.

The NEUTRALS therefore (for such a *Party*,  
there is Reason from the *Context* to believe there  
was) observing, that though Religion, when  
*true* and *genuine*, may be a *strong* and *natural*  
OBLIGATION upon the *Wise* and *Good*, who see  
its *Foundations*, yet as it may be sometimes  
*false* in itself, and then attended with *Superstition*,  
*Enthusiasm*, and *Persecution*; at other Times,  
though *good* in it's Kind, yet assented to only in  
*Appearance*, and then *delusive* and *hypocritical*,  
not operating to *good Works*, in which Respect  
we find, that the *Methodistick* Religion of \* CAIN,  
notwithstanding his *Sacrifice*, had been defective,  
they grew diffident of such a *precarious* INSUR-  
ANCE for *common Honesty*, choosing rather to  
secure themselves by *uniting* in Society, build-  
ing *Cities*, and establishing *Rules*, and *Ordinan-*  
*ces* for the Defence of their *Persons*, and *Pro-*  
*erties*, and lodging a Power in the Hands of  
some publick Officers for upholding and main-

† See Ver. 5, 6, 7; and for the Character of *Cain* and his  
Religion, the Appendix, Numb. I.

taining the LAWS, which were to protect them.

From the Regulations of some of these well-ordered Societies, who by Reason of the growing Barbarity, and Insecurity of the Times, might be very vigilant against a Fugitive, CAIN seems to have had the greatest Apprehension of Danger—I shall be a Fugitive, says he, and a Vagabond in the Earth, and it shall come to pass that every one, that findeth me, shall slay me.

This forlorn and restless Condition of a FUGITIVE, driven from Place to Place like a wild Beast from the Desert, and constantly denied Reception, is no more than the natural Consequence of committing MURDER. The whole Species are alarmed at the Approach of such a Monster, they shun him as a Lion, that spares no Man in his Rage, arm themselves against him as a publick Enemy, that can neither be trusted nor reclaimed; and if they slay him, think that they are doing God Service, by removing the common Disturber of the PEACE of Mankind.

CAIN, therefore, to avoid the Dangers, which furrounded him in the Parts already inhabited, went and dwelt in the Land of † NOD, perhaps a Desert, so called from his Wanderings, whose

† LXX in Terrâ Naid. Hieron. in Tradit. ait Nod interpretari σαλευόμενος, i. e. fluctuans, et instabilis, ac sedis incertæ, non est igitur (inquit) Terra Naid, ut vulgus nostrorum putat—Sic VULGAT. habitavitque profugus in Terrâ.—Chald. באפעה גלי ומטלטל In Terrâ Exul & vagus. R. Salom. exponit in Terrâ, ubi omnes Exules vagantur. Mercero simplicius videtur Nod Loci Nomen esse, sed qui ab ejus Vagatione, quod in eo aberravit, sic dictus sit. Cartwright. in Locum.

6 *Anniversary Sermon for the 10th of May,*

Situation at this present Time is hard to be exactly determined. All that we are told of it is, that it lay to the *East* of EDEN, and served him for an *Hiding-place*, till by Time and Recollection he could extricate himself from his present Difficulties.

In Order to which, he forms an *Alliance* by MARRIAGE, and, as the only *Place of Security*, builds a CITY of his own, and gathers his *Descendants* into a *Community*, after the Example of the more *regular* Part of the *Species*, who, as they are described in this Chapter to have already put themselves into a Posture of Defence, seem to have been before-hand with him in this Invention.

Thus much then being premised concerning the *Natural History* of MANKIND from their very Origin: I shall take Occasion, from a View of the *Politics* of these early Ages, to prove,

*First.* That (according to the Laws of Nature) the only *Cause* or *Motive* for FORMING SOCIETIES was in Order to procure, by *mutual* Assistance, and Friendship, a greater Degree of *Comfort*, *Security*, and *Peace*, than could be obtained in a *solitary*, *disunited* State.

*Secondly.* That MURDERERS being guilty of *opposing* and *defeating* these ENDS of Society, declare themselves *ipso Faëto* to be *publick Enemies*; and consequently, that *every one*, who findeth them, has a *Right* to *slay* them.

*Thirdly.* That a *chief* MAGISTRATE, or GOVERNOR, refusing to *execute* that Right for the *Subject*, and *opposing* him at the same Time in the Use of it, doth thereby dissolve the *original*  
COMPACT



COMPACT of the STATE ; loses all *Title* to the *Obedience* of his People ; and leaves them, as once, again in a *State of Nature*, to take their own MEASURES, and *shift for themselves*.

But *First*, I am to prove, that the only *Cause* or *Motive* for forming *Societies*, was in Order to procure, by *mutual Assistance* and *Friendship*, a greater Degree of *Comfort*, *Security*, and *Peace*, than could be obtained in a *solitary, disunited State*.

And here, as almost all our *Appetites*, *Pursuits*, and *Faculties*, speak some *Dependence* on our *Fellow-Creatures*, or *Attachment* to them, it might be taken for granted, that Man must want much of the *natural Happiness*, which God intended for him, and his own *Being* requires, when he is excluded from Society.

“ More Things are necessary,” says an excellent Philosopher, “ to *sustain* Life, or at least “ to make it in any Degree pleasant and desirable, than any *one* Man can make or provide “ for himself, merely from his own *Labour* and “ *Ingenuity*. *Meat*, and *Drink*, and *Cloathing*, “ and *House*, and that frugal *Furniture*, which “ is absolutely requisite, with a little necessary “ *Physick*, suppose many *Arts* and *Trades*, many “ *Heads* and many *Hands*. If he could make “ a Shift in Time of *Health*, to live as a *wild* “ Man under the Covering of Trees and Rocks, “ feeding upon such Fruits, Herbs and Roots, “ and other Things, as the Earth should afford “ in return for his *Labour*, or happen *spontaneously* to present him ; yet what could he do “ in *Sickness* and *old Age*, when he would not be “ able to stir abroad, to collect the Gifts of “ Nature and enjoy her Beneficence ?”

This

8 *Anniversary Sermon for the 10th of May,*

This lonely and helpless Condition, plainly shewing, that an Union with his Fellow-Creatures is extremely necessary to the Convenience and Comfort of every human Creature; I shall lay down two *Maxims*, which may serve as *Principles* to regulate that UNION, and render it subservient to human HAPPINESS.

The *first* is, That SOCIETY without *Benevolence* can never preserve this Union.

The *second*, That SOCIETY without *Benevolence* will make Men more unhappy, than if they had never been at all united.

The first Observation is true. For it is not the forming themselves into a Body, that can keep Men united. A collected Number may be called a *Community*, and while they remain together, they have the *Appearance* of such; but if there be wanting an *Union* of Hearts and Affections, they want the *Essence* of Society. Like the Particles in a Thread of Sand, though they appear to be together, they are really separate, and but one Remove from Dissolution.

For Men must come together either upon good Designs to each other, or upon *bad*: the former not being here supposed, the latter must take their Place; and as *bad Designs* can have nothing for their Object but *Hurt* or *Destruction*, with either of these Society cannot subsist.

For if the first Formers of human Society, when herded with *Savages*, removed from amongst them with a View to Security and better Treatment, and missed of their Aim, finding no better Accommodation than they left, does not the Cause still subsist, why they should remove

move again? The same *savage* Principles remaining, of *unbounded* SELF-INTEREST, and RAPHINE, will produce the same *savage* Actions; defeat the End of the new Society, and drive them for ever to other Settlements, but never preserve them in any.

Because such *Principles* must occasion continual Struggles and Convulsions, and fill the World with Acts of Violence and Injustice, the *strong* still oppressing and devouring the *weak*. The Consequence of which must be *Broils*, and Bloodshed in particular Rencounters; or a GENERAL civil War; or else a *lingering Declension* of the STATE, the weakest *Members* decaying first.

Not that the Disease will stop with the Loss of these; the Few, who survived the *Pillage* and *Destruction* of their *Fellow-Creatures*, through *Dread* and *Jealousy* of each other, must be forced to separate, securing themselves, as they can, against the Attacks of that uncharitable cruel Temper, which lessened their Number at the first.

Upon this State of *Misery* and *Confusion*, which must necessarily *ensue* when a *Community* is broken up, by the *unnatural* Conduct of its Members in not pursuing the *Welfare* of the WHOLE, but their private Animosities, and private Interests, I cannot but make my second Observation, in Effect to this Purpose.

II. That the unfortunate People, who were led to compose such a Society, are made more unhappy by their *Conjunction*, than if they had never been united.

For the real End of Society being mutual  
C Help

10<sup>th</sup> Anniversary Sermon for the 10<sup>th</sup> of May,

Help and Assistance, People who come into it, possessed with such a fond and honest Notion, are apt to require something more to their Subsistence, than a Cloathing of *Skins*, and the *Roots*, and *Herbs*, of an HERMIT: being now comforted, as they think, with *reasonable* Creatures; and not amongst the *Beasts* of the Field, they naturally expect more from them, than from *Savages*, and have made their Happiness depend, in great measure, as in Societies it necessarily must, upon the good *Offices* they are to receive from others: but the Want of Charity stops all Interchange of Kindness, and reduces them to a worse State than that of the *Hermit*, who being bred to Misery, never expected any one's Assistance, while these in a just Hope of HELP from their *Fellow-Creatures* are lamentably lost; like the *Mariner*, who perishes in the Sight of Shore, within the Assistance of his Friends.

It is this Disappointment of expected Help that doubles the *sorrowful Sighing of the Prisoners*, that provokes afresh the Widow's Tears, and Orphan's Cries, that deepens the Groans of the Miserable, and adds a more piercing Accent to all their Complaints.

In these, and such like Circumstances, when People find all *Hopes* of *Succour* from Mankind eluded, and withal receive grievous *Injuries* from others, which they could never have received from themselves; it is no Wonder that they grew weary of their own *Species*, and prefer *Solitude* to *Society*.

It is upon these Occasions that we read in *History* of the *Separation* of particular Persons, and sometimes of the *Secession* of an whole Multitude.

Thus,



Thus, for Instance, TIMON, the honest *Athe-  
nian*, whose Love of Justice and plain Dealing  
had led him into many a Snare in his Inter-  
course with a corrupt, deceitful, rotten-hearted  
People, and whose Resentment upon that Ac-  
count acquired him the Name of the *Man-hater*,  
after he had been long credulous and benevolent  
to his own *Hurt*, retired at length from the *Ge-  
neration of Vipers*, and left them to sting each  
other.

And thus, in the first Period of the *ROMAN  
Commonwealth*, the COMMONS, oppressed and  
wounded to the Heart by Injuries, came to a  
Determination to break up the State, and to  
leave the City; which *Revolution* would certainly  
have taken Place, had they not been soothed by  
the Temper and Sagacity of *Agrippa*, and lured  
by the Promises of better Usage.

Such Passages as these are recorded in *History*,  
and where that has been silent, the *Dens* and  
*Caves* of the Earth, the Monuments of *Inhu-  
manity* in *savage* Countries, are a Testimony to  
the World, that People look upon a State of  
*Solitude*, however contrary to the proper State  
of human Nature, to be yet a better Condition  
than they can expect to find in a *bad* Society.

And yet it has been observed before, from the  
*Situation* and *Pursuits* of Man, that he is a *social*  
Creature: of Consequence, without some *Union*  
and Intercourse with his *Fellow-Creatures*, his  
Life must be very destitute and very miserable.  
The Sum of the Matter then is this, That if  
you take away Affection from Mankind, let  
them live how they will, they must live in  
Misery.

II. But what I have hitherto advanced is only a *Step* towards the *PROOF* of my second *PROPOSITION*, touching the *Legality* of killing *Murderers*:

For if *SOCIETY* cannot subsist without *common* *FRIENDSHIP*; how much less can it subsist, if it harbour in it *common* *Enemies*?

The Matters urged in *Proof* of my *first* *PROPOSITION* plainly shew, that the *End* and *Design* of forming *Societies*, was for the Sake of procuring a greater Degree of *Comfort*, *Security*, and *Peace*:

But *Murderers*, being guilty of opposing and defeating all these *Ends*, declare themselves *ipso Facto*, or by the very *Deed*, to be *publick* *ENEMIES*: therefore, as every *Member* of a *Community* is interested in the *publick* *PEACE*, his own being bound up, and included in that of the *Publick*, it follows, that every *Member* of a *Community* has a *Right* to *slay* a *Murderer*.

And that the *antient* *PRACTICE* supported *People* in this *Right*, may be plainly gathered from the *Conversation* of *Cain*, and *God's* *Reply* to it, as a *Thing* established—"therefore," says he, (i. e.) "because the *Thng* is so, as you "represent it; that, by *common* *Custom* of the "World, every one may kill you, that meets you, "I will interpose my *Authority*; and, by punishing you in my own *Way*, that is, by setting as "a *Mark* my *Curse* upon you, I will take the "Execution of *Vengeance* upon myself."—The *Vengeance* you see was *due*, and in the common *Course* of *Things* would certainly been executed in the usual *Manner*, but for the *Interposition* of *divine* *AUTHORITY*.

For

For by the *Law* of *NATURE*, no *Human* *LAWGIVER* or *RULER* can remit the earthly or *temporal* Punishment due to Murder, unless so impowered by an Act of the *whole Community*; or screen an Offender of that Sort, if *any one Individual* demand his Punishment, for the Reasons before produced. Because a *Murderer* is a *publick Enemy*, that is, an Enemy to every *Individual*, as well as to the *Community*. To demonstrate this more particularly—It appears, from what has been said, that the *End* and *Design* of *SOCIETY* is to procure to Mankind, by mutual *Assistance* and *Friendship*, a greater Degree of *Security*, *Peace*, and *Comfort*, than in a *solitary* State they could expect to possess.

Whosoever, therefore, by his *Actions* shall declare himself an *Enemy* to those *ENDS*, doth at the same Time declare himself a *publick ENEMY*: for he is an Enemy to the *publick Tranquillity*.

This *Character* may be justly fixed upon a Man, not only when he disturbs a *Multitude* at once; but even when he makes an *Attack* upon a *single* Person; if that *Attack* be such as deprives a Person of his *Being*, or even of his *Well-being*. For it makes *Society* no longer a *Place* of *SECURITY*; and therefore it puts every *Individual* into the same State of *Danger*; though *real* Destruction may as yet have affected but few. In this *general* Alarm, then, or *Appearance* of Danger, every Man has a Right to put himself into a State of Defense; and as his *own* *SECURITY* is included in that of the *Publick*; to oppose and destroy that *Object*, which puts his own Security to the Hazard by disturbing the *publick* Peace.

He

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He has a Right, therefore, to destroy a *Murderer* for destroying the *publick SECURITY*: because an Attempt of that Sort is destroying his *own SECURITY*, as a *private Man*,—the Case is alarming to every *Individual*, as well as to the *BODY Politick*: and therefore, beside the Power of acting in *Conjunction* with the *Community*, as in other Cases, against a *publick Enemy*; he has a Right, in this Case, to oppose the *publick Enemy*, as a *single Man*; which is a Privilege, that he enjoys by the *Right of Self-defense*.

To deny, that a Man is possessed of such a Power as this, is only the Doctrine of *Tyrants* and *Traitors*, whose *Crime* no *Punishment* can equal, and who ought to be exterminated from the Face of the Earth.

It is to assert, says an excellent Writer upon the † *Religion of NATURE*, contrary to Truth, that a Man either *has not* the *Faculties* and *Powers*, which he *actually has*, for his *DEFENSE*, or that the Author of Nature has given them to him in vain. For to what *End* does he possess them, if he may not use them? And how may he use them, if not to his own *Preservation*, when he is attacked, and abused, and perhaps in Danger of being destroyed?

If a Man has no *Right* to defend himself against *Insults*, *Pain*, and *Death*; it must be because the *Aggressor* has a *Right* to *assail* him, and to usurp a Power over him, and what is his: but this *Pretension*, where a Man is not an *Offender*, is prevented by the Notion of *Property*; every Man has something, which is truly his—



his *Life* and *Limbs* for Instance, and let us for the present only suppose, that there may be *more*. And as Men in a *State of Nature*, are allowed by all \* *Civilians* to have been born *equal*, no Man has a Right to hurt another's *Property*, or interrupt his *Happiness*; but if a Man may not *defend* himself, it supposes that the other has that *Right*, which includes a great Absurdity, namely, a Licence to commence an Injury, or begin a Violence, which is in Nature a more unreasonable Demand, than only a Licence to repel it.

For he who begins is the true Cause of all that follows, and whatever falls upon him from the Opposition made by the defending Party, is but the Effect of his own Act: or the Violence of which he is the Author, *reflected* back upon himself.

And with *Regard to SOCIETY*, since he who begins to violate the Happiness of another does what is *wrong*; we may be sure, that he who endeavours to obviate or put a Stop to that Violence, in that Respect does what is right;—Right, I say, with Respect to the Community.

For with *Regard to HIMSELF*, since every Man is obliged to consult his own Happiness, there can be no Doubt but that he not only *may*, but even ought to defend it.

Otherwise he will fail in his Duty to himself, and deny that his Happiness is his Happiness, or, which is the same Thing, suffer what should be

\* *Trahet tanquam naturaliter sibi æqualem, seu ut æquè Hominem.* PUFFENDORF, c. vii. — Chaque Homme dans le Fond de son Cœur a Droit de se croire entièrement égal aux autres Hommes. VOLTAIRE, sur l'*Egalité*.

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his *Happiness*, by the *Malice* of others, to become his *Misery*.

This *Right* of SELF-DEFENSE then may always be exerted upon the *Apprehension* of Danger, and therefore the *Appearance* of Danger will always give a Man just Cause to exert it.

I am not to stay, says our excellent \* *Civilian*, till a Man shall actually begin to make an *Attack* upon my *Person*; or betray my own *Safety* so far, as to suffer him by my *Negligence* to take such *Advantages*, as may effect my own Ruin.

We do not know *how soon*, a Person, who has done a Thing *once*, may do it *again*, he has declared himself to be a dangerous Creature, an *Enemy to Man*, by *killing a Man*. It is enough then that he awakens our *Suspensions*, in such a Manner, as to put us in *Fear* for our *Lives*. When this *Fear* commences, the Time of *Action* commences against an *Adversary*. And therefore, when it is reported, that a *Murderer* infests *Society*, we may immediately proceed to act against him, if he come in our Way.

Because his is a *Character*, that always raises a *Suspicion* of our being hurt: we are by no Means certain, but that he may immediately give *fresh Proofs* of his wicked Temper, by effecting our own Destruction; and therefore, at the very Moment, that these Fears arise, and his Approach to our Persons makes him dangerous, that *very Moment*, as he has forfeited all Protection from *civil SOCIETY*, and is as little to be trusted, as a Person possessed by *canine Madness*, —that *very Moment* he may be destroyed.

\* *Neque enim ad Defensionem requiritur primum Ictum excipere; aut Ictus, qui intentantur, eludere dumtaxat et repellere. Puffendorf, Off. P. 37.*

And whenever the *Laws* of any *particular* Country are deficient in this Respect, and come not in to the Aid of the *Law* of NATURE, in Matters of such Importance as the immediate Danger of losing a Life, that *Country* is not *fit* to be any longer our Place of *Residence*; since the *Laws* are not able to *protect* the *Subject* in the Article of *personal* Safety, and SELF-DEFENSE, and, therefore, no longer worthy of his *Subjection* or Regard.

III. Having thus clearly demonstrated from *Principles* and *Maxims* undeniably true, that every Man has by the Law of Nature an *unalienable* Right to *slay* a *Murderer*, because a *Murderer* is a *publick* Enemy, dangerous to the Peace and Safety of the *Community*, and therefore to his *own* Peace; my last Observation touching the Concurrence of the *Laws* upon such an Occasion will lead me to the *third* Thing proposed, which was to consider more minutely, what Aid an *Individual* may expect from the Publick in Support of *such a Right*, where I believe it will appear;

“ That a CHIEF-MAGISTRATE or GOVERNOR refusing to *exercise* that *Right*, for the *Subject*, and at the same Time denying him the Privilege of using it for himself, doth thereby dissolve the *original* COMPACT of the STATE; loses all *Title* to the *Obedience* of his People; and leaves them as once again in a *State* of NATURE, to take their *own* MEASURES, and to *shift* for themselves.”

For though, upon entering into *Society*, Men may, for *Convenience*, (and *Convenience* we see is the *End* of coming into *Society*) lodge or *deposit*

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this Right in the Hands of *others*, yet it is  
occasionally *resumable*, and only deposited in  
TRUST.

“ A Man (says my Author) † may part with  
some of his natural Rights, and put himself under  
the Government of Laws, and of those (People)  
who in their several Stations are entrusted with  
the Execution of them, in order to gain their Pro-  
tection, and the Privileges of a regular Society :  
—But if the Question be asked—*what natural*  
Rights a Man may part with, or *how far* he  
may part with them? the general Answer, I  
think, may be this : some Things are *essential* to  
our Being—(and therefore *not to be parted with*)  
—and some it is *in our Power* to part with—  
From such as these then we may recede, as far  
as is consistent with the *End*, for which we do  
it—and not further.”—For Instance, suppose  
our *End* be SAFETY, we cannot then convey  
away the *Means* of SAFETY so far as to lose  
that *End*. For this would be a *Contradiction*.

Every Member of a *Community* has a *Right*  
to SAFETY : he enters into *Society*, with the  
View to secure that *Right*, and the Stipulations  
and Engagements on the Part of the Magistracy,  
to fulfil the Laws and Compacts of the  
Country, are always understood, by the very  
Nature of *civil* Compacts, to be a Security for  
the same.

Every *civil* GOVERNMENT, therefore, to a  
*Subject*, who is not a *Criminal*, is supposed to  
be an *Asylum*, or Place of *Safety* : for other-  
wise it contradicts the very *End* and *Design* of

† *Religion of NATURE delineated*, Page 150, *Proposition*  
the VIth.



civil Government. That is, it is a *Contradiction* to itself.

But no *Nation* can be a *Place of Safety*, where the *Government* avowedly harbours *Murderers*; and in *Defiance* of *Law* and *Justice* persists in the *Act*: because in this *Case* they are *persisting* in that, which must destroy all *Safety*. Since *Murder* and *Safety* are directly *Opposites*, the one implying the *Security* of a *Man*, the other his *Destruction*; and, therefore, they mutually expel each other.

Such a *Government* then acts contrary to the *Ends* and *Purposes* of *Society*: and, therefore, if such a *Government* cannot be *altered* or *dissolved* it must *destroy* *SOCIETY*: to avoid which *Consequence*, *SOCIETY* has a *Right*,—1<sup>st</sup>, to *alter* that *Government*—and if that cannot be effected by *fair* *Means*—then 2<sup>dly</sup>, to *dissolve* it—and lastly—if that be not in their *Power*—the *Members* have then a *Right* to *forsake* such a *SOCIETY*, and shift for themselves.—

Of these in their *Order*—

And 1<sup>st</sup>. Upon *Supposition*, that a *Government* should act contrary to the *Ends* and *Purposes* of *SOCIETY*, as in the *foregoing* *Case* of *Murder*, *Individuals* have a *Right* to *alter* that *Government*.

For they have been *deceived* in the *Execution* of the *Compact*. They entered into *Society* in *Order* to have their several *Properties* ascertained, and to be quiet in the *Possession* of them; especially in the *Possession* of *that*, which is the greatest of all, and the *Foundation* of all other *Properties*, the *Property* which they have in their own *LIVES*.

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They may *remonstrate* then against a *Deception* of this high Nature and Consequence, as a *Breach* of Contract, and demand an *Alteration* in the *Measures* of the State.

If the *Parties*, who form the *Government* refuse to comply with the Demand, and persist in the *Denial*, they bring on the *second Case*: and by turning the *Power* of the *Government* against the *Individual*, which should have been for his *Protection*, they give the *Individual* a Right to destroy that *Government*.

And this upon the same *Principle* of *Self-defense*, that authorises him to destroy a single Man.

For if a Man cannot part with his Right of *Self-defense* against a *single Murderer*, he cannot (*à fortiori*) part with his Right of *Self-defense* against a *Combination* of Murderers; but a *Government* combining with Murderers is a *Combination* of Murderers; therefore a greater *Nuisance*, an Object far more dangerous, as consisting of a greater Number, and for that Reason, if he can compass it, the more worthy to be destroyed.

“ This Reason is *decisive*, says PROFESSOR † *Barbeyrac*, and sufficient to refute the Opinion of those, who pretend, as does *Grotius* for one, (in

† Les *Devoirs* de l'Homme, &c. Edit. d'Amsterdam, Tom. 1. P. 120.—Voiez ce que l'on dit, après Monsieur VANDER MEULEN dans la BIBLIOTHEQUE UNIVERSELLE, Tom. 13. Pag. 143, & *Suiv.* En vain allégueroit-on l'Avantage de la Société, qui seroit troublée par une telle Résistance à ceux qui en sont les Chefs, ou qui ont quelque Part au Gouvernement. Car, outre que dans l'Epouvante, où jette la Grandeur du Péril, on n'est guères en Etat de faire de telles Réflexions; on a plutôt Lieu de présumer que l'Agresseur ne demeurera pas là, & que les autres Personnes, qui dépendent de lui, doivent s'attendre à de pareilles Violences, toutes les Fois qu'il lui en prendra Fantaisie.

his *Jure Belli et Pacis* Lib. II. Cap. I. §. 9.) that the Right of a just Defense of one's-self ceases, when the unjust *Aggressor* is a *Prince*, or some other Person invested with Authority in civil Society. So far from it, that the Moment a *Magistrate*, or a *Superior*, let him be what he will, carries himself *maliciously*, and from *deliberate Choice*, to such an Excess of Madness, he puts himself in a *State of War* with those, which he thus attacks: the Bonds of *Subjection* are broken, and the *Subject* or *Inferior*, who never pretended, and who never could engage to carry his Obedience to this excessive Length, re-enters from thenceforth into his *natural Rights*, or the *Rights of a State of NATURE*."

So that we see, when a Man, who is in Danger from a bad Government, can neither *alter* it, nor *dissolve* it, the Defect of Means to obtain one or the other of these Ends, introduces the *third and last* mentioned *Case* of Necessity, and gives him a Right, where a Government acts contrary to the *Purposes* and *Institution* of Society, to *forsake* that Government, and to *shift for himself*.

For, where there is no *Protection*, there is no *Obligation* to stay: and, where there is *Danger*, as there must be Danger from a COMBINATION of *Murderers*, there is great *Reason* to *depart*. Self-preservation, the *primary* Law of Nature, as well as the *Cement* of Society, will, in this Case, oblige him to abandon his present Situation, and seek a Place of Refuge for himself.

This Matter is briefly stated, and determined in this Manner, in the *Religion of Nature* delineated, SECT. VII. *Proposition IX*.

"In Respect of those Things, (says the Author)  
which

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*which the Laws of the Place take no Cognizance*  
*of, or if they do take Cognizance of them, yet*  
*if the Benefit of those Laws cannot be had, he who*  
*is a Member of Society, in other Respects retains his*  
*natural Liberty—and must endeavour to act accord-*  
*ing to Truth and his best Prudence—For in the*  
*first Case, where there is no Cognizance taken,*  
*there is nothing to limit him. And in the other,*  
*it is the same as nothing; since in Effect there is*  
*no Law, where no Effect or Benefit from it is to*  
*be had."*

How much greater then, will I add, must be  
his *Danger*, and in Proportion how much more  
*precipitant his Flight?* if the *Magistrate* should  
not only neglect him in *Danger*, but even be-  
come his *Pursuer*, and appear as a Murderer, at  
the *Head of Murderers*, directing them to do  
their Office.

In this Situation the Person *stopping* or hin-  
dering his *Escape* is guilty of the same Wrong,  
as those, who pursue him to his Destruction;  
and, therefore, may be treated in just the same  
Manner. For he that would turn me back up-  
on an *Adversary*, that pursues me with an *armed*  
*Force* to destroy me, is acting the same Part as  
that Adversary: and, therefore, for the same Rea-  
son, may be destroyed.

Upon this *Principle* is founded the *Legality* of  
sudden *Emigrations* from a *disordered STATE*,  
which the Government, when *Violence has been*  
*committed*, have no right to withstand, or with-  
stand at their own Peril, it being an unjust *De-*  
*tention*. For, in Circumstances pressing and  
dangerous, long and formal *Declarations* may  
hazard the *Lives* or defeat the *Design* of the  
*Emigrants*. Besides, the *Rulers* of a State have no  
Right



Right at that Juncture to expect a Remonstrance. Where the *Compact* is dissolved, the Government is from that Time nothing but mere Tyranny: and, therefore, in such a Case the *Departure itself* is a *legal*, though tacit *Renunciation* of all *Connexion*; as the *Arrival* and *Settlement* in a strange Land are presumed to be a *real*, though *tacit*, Subjection to another Country, according to that fine and just Distinction of *Plato's*, ἡδὴ φανεῖν ὡμολογούμενας ἔργῳ ἡμῶν, we say by his *Act and Deed he hath confessed it*.

This is generally the Expedient where the *Refugees* are dispersed, and in Number not sufficient to make a Settlement of their own: but if they can collect themselves and form themselves into a *Colony*, that *Colony* has a Right to depart. We have Examples of this Sort in the *Secessions* of the old *Romans*, which the *Senate* did not attempt to withstand: but what is nearest our Purposes, our own *Ancestors* have left us a remarkable *Precedent* upon a like Occasion. In the Time of Charles I. when Disputes ran high between the *Subject* and the *Prince*, when the Publick Money was squandered, and replaced by *Force*, when their *Liberties* were gone, and their Persons visibly in Danger, when no one could speak a favourable Word of the Government but those who shared, or expected to share, the *Plunder* of the PUBLICK, by being *Placemen* and *Pensioners* to the COURT: they preferred a *Wilderness* to a Country which was so soon to be the Scene of Distraction and Bloodshed, and sought an *Asylum* in AMERICA. To their new Settlement, as a Mark of their Descent, and the best Means of preserving their Memorial and Existence as a People; they gave it their *National Name*, and called

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 called it NEW-ENGLAND, since the Name of the  
*Old* was now to give Way to that of *Great-Bri-*  
*tain*, and be lost in Oblivion for ever. The *bad*  
*Government* at Home, alarmed by this Revolt,  
 and foreseeing their own Decay in the Removal  
 of the Subjects, (as the *Want of \* People is the*  
*Destruction of the Prince*,) prevailed upon the  
 King to issue a *Proclamation* debarring them  
 Access even to those inhospitable Deserts.  
*Eight Ships* lying in the *Thames*, and ready to  
 sail, were detained by *Order* of the COUNCIL, in  
 which were embarked † Sir *Arthur Hazelrig*,  
*John Hampden*, and *Oliver Cromwell*, who, con-  
 trary to the || Law of Nature, as well as their own  
*Inclinations*, were forced back again to a Land  
 divided and unsettled, to share in the *Perils* of  
 a *civil War*, in the Beginning of which the great  
*Mr. Hampden* was slain, but *Cromwell* survived  
 to be afterwards of the Number of those, who  
 took Vengeance upon the *Person* of the unfor-  
 tunate KING; for having suffered his Servants, in  
 this and other Instances, to make so bad an Use  
 of his Power.

These are the *Subjects*, which, considering the  
*increasing Danger* of the Times, as well as the  
*original Melancholy* ‡ OCCASION of these *Dis-*

\* Proverbs xiv. 29.

† *Hume's History of Great-Britain*, Page 214. *Mather's His-*  
*tory of New-England*, Book I. Dugdale, Bates.

|| On a prétendu dans plusieurs Pays, qu'il n'étoit pas per-  
 mis à un Citoyen de sortir de la Contrée où le Hazard l'a fait  
 naître; le Sens de cette Loi est visiblement : ce Pays est si mauvais  
 & si mal gouverné, que nous défendons à chaque Individu d'en sortir,  
 de Peur que tout le Monae n'en sorte---Faites mieux donnez à tous  
 vos Sujets Envie de demeurer chez vous, & aux Etrangers d'y  
 venir. VOLTAIRE.

‡ The Murder of Mr. ALLEN.

*courses*, the conscientious Discharge of my Duty would not permit me to pass over in Silence. I am required by the *Law of Nature*, and by the Precepts of that RELIGION, which is here by *Law* established, by the Obligations of *civil SOCIETY*, (and which come nearer to the Heart of Man) by the *sympathetick* Feelings of *Humanity*, to *cry aloud and spare not*, till the *Arm* of the *Destroyer* shall be withheld.

For, notwithstanding the mighty Offense, which some People *affected* to take at the *Doctrin*e of my *first* Sermon, tending to shew the *supreme* and *indispensable* Authority of the *Laws of God*, and the *Impiety* and *fatal Consequences of screening and abetting Murder*---the Practice has been still continued---out of an high Regard, no Doubt, to the *Constitution*, and the Support of *Magistrates*, who, when, acting *against Law*, ought not to be *supported* at all; and when acting *according to Law*---must be *very strangely supported*! by hiring *Russians* to murder the *People* assembled† to choose their *Representatives*; yet even this, you are told, was to *keep the Peace*.

But if their *Peace* be *Death*; you have the more Reason, to be *all* alarmed upon the *Occasion*, and to *find*, or *make* immediately some better *Provision* for your *Defense*, than the present Cobwebs of your *broken Laws*. Consider, that *Murderers* are *publick Enemies*, equally dangerous to the whole Community, as *sudden* and *insidious* in their Attacks as *LIONS* and *TYGERS*---that such Monsters *combined* are more to be dreaded than when alone---and then most *dreadful*, when they receive *Autho-*

† On the Violation of the Right of free Choice, See Appendix, No. VI.

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*rity, or Inauguration from the Servants of a*  
STATE.

To be *so* surrounded is to be *all your Life-*  
*time, through Fear of Death, in perpetual Bon-*  
*dage.* Rouse, therefore, and concur with your  
Neighbours in seeking the *Means* of your  
Deliverance; and then beg the *Blessing of God*  
upon the Use of the Means---that so the *foul*  
and *infernal* SPIRIT of *Tyranny* and *Bloodshed,*  
which hath occasioned these *Disorders,* may be  
speedily driven from this Land, and flee before  
the Presence of THE LORD OF HOSTS.

T H E E N D.

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C O N T E N T S

Of the following

A P P E N D I X.

- I. The Character of Cain, and his Religion.
- II. An Extract from the St. James's Chronicle.
- III. King George the III'd's Proclamation for the Pardon  
of *M<sup>r</sup> Quirk.*
- IV. Some Reflexions upon the Pardon of *M<sup>r</sup> Quirk*; as  
whether such a Person could be a *proper* Object of  
*Mercy*; or whether it proceeded from some *other*  
Motives.
- V. A Parable against Murder.
- VI. The IMPORTANT QUESTION, touching the Rights  
of the PEOPLE to a *free Choice* of their REPRESENTATIVES, &c.



# A P P E N D I X.

## N O T E I.

### *Of the Character of CAIN, and his Religion.*

**F**OR the *moral* Character of Cain, he seems to have been by Disposition an obstinate, ignorant, churlish, bloody-minded Creature—one of those, who are compared in Scripture to an *Horse and a Mule, that have no Understanding, whose Mouths must be held in with Bit and Bridle, lest they fall upon Thee.*

For his *Religion*—it seems to have been of the same Stamp with Modern *Methodism*.

Like a true Son of his *Mother EVE*, we find, that he was for laying his Faults upon somebody else, only with this Difference; she blamed the *Serpent, who beguiled her*, for her Offence: whereas he, by a true Predestinarian Blasphemy, throws all the Reproach of his Sin upon God himself—*Thou hast driven me out*—says he, as though God had done it.

Which was the more impious, as we read that God had not been wanting in his Goodness to afford him all Necessary Information. For in a former Conversation, he had forewarned him, and reprov'd his Ignorance, in Words that purposely tended to correct his wicked Notions and prevent his fault—*Why art thou wroth, and why is thy Countenance fallen*, intimating a Suspicion of what would follow, from discovering the Marks of his Intention in his sullen dogged Look—*If thou doest well, shalt thou not be accepted? And if thou doest not well, Sin lieth at thy Door*—Reminding him of the Natural Distinction between Good and Evil; and informing him, that if he would observe that Distinction, and follow that which was *good*, according to the *Light of Nature*, he should be *accepted*: But otherwise, if he chose to do Evil, the SIN must lie at his own Door, and not at the Door of his *Creator*. Which Conversation all along supposes Man to be a Free-Agent—to have a proper Notion of Good and Evil—and to be answerable for his Conduct to God Almighty. This is the old and true Religion, which has continued without a Change in the *Fundamentals*, from the Creation to this very Day.

Whereas, it is evident from these Reproofs, that the Religion of Cain was the very Reverse of this: and, therefore, of the same Stamp with Modern *Methodism*.

This the Reader will see, if he will consult a little Tract of the Author's, called the *bad Principles of the Methodists displayed*, and other Parts of the *Controversy* which subsisted for two Years, between him and Mr. WESLEY, JONES, and others of that *Seet*. Wherein it appears, from their own Writings, that they hold it as a *necessary Article of FAITH*, that Man is not a *Free-Agent*, and therefore not a *Moral Agent*: that in this State, which implies a State of Impunity, he is at the same Time, a Creature of so vile a Turn, that he is not able of himself to think one good Thought, to do one good Act; but necessarily and perpetually determined *to do Evil*; which Doctrine, if embraced in its full Extent, and suffered to carry with it all those Consequences, which naturally follow, is the most pernicious to *Society* of any in the World; and such as can never, consistently with the *Principles of GOVERNMENT*, be adopted by a *STATE*. Since there is no Kind of *Villainy*, but what the Professors of such a Religion may upon Occasion *cloak and patronize*, and no *Criminal*, but what upon these Principles, they may exempt from Punishment.

For suppose that such a Religion as this was the *established Religion* of ENGLAND, and I was a *Methodist* and a *Judge*, should not I be greatly hampered in the Exercise of my *Profession* by such Religion? For as a *Lawyer*, I must be of *Opinion*, that if a Man be a *Machine*, and a Machine too necessarily determined *to Evil*, he must do that, to which he is *predestined*. These *Principles* then are directly opposite to the *Principles* of the *Laws* of England.

For the Law of England talks of *voluntary Acts*, (or Acts of *Choice*) and says—"He that doth a cruel and *voluntary Act*, whereby Death ensues, doth it of Malice propense, "in the Esteem of the *Law*, though he doth it of a *Sudden*," &c. But the *Predestinarian Doctrine* of the *METHODISTS* contradicts these *Laws*; no Wonder then, where such Principles are imbibed, if the *Laws* are *superfeded*, or *Murderers* pardoned.

For, upon these *Principles* the *RELATIONS* of Persons murdered, suppose it be of those in and about St. George's Fields, on the 10th of May, 1768, by the the *Soldiers*; or afterwards at Brentford, by any of the *Yeomen* of the Guard, or the *Ruffians* hired for that Purpose. I say, by the *Principles* of such a *RELIGION*, these Relations had no more Right to bring an Indictment against any of these People vulgarly called *Murderers*, than against the *Machines* or *Engines* they made Use of to put the Innocent to Death. For by this Doctrine, the Murderers had no *Will* of their own in the Case, they were *predestined* to do it—Ergo, I doubt

doubt whether they were guilty of the Murder—*Ergo*, they ought to be pardoned---*Ergo*, they shall be pardoned---And as the *Causa proxima*, or *immediate* Cause of these Deaths were Things of another *Kind*, if an Indictment can be brought against any Thing, that acts by mere *Necessity*, it should be brought against the *Gun* and the *Bullet* in one Case; and in the other, against the *Bludgeons* and *Clubs*; or against the *Vomiting* and *Fever*, the last Agent in the Case of *Clarke* and *Hopkins*---or the *Disorder* of the *VISCERA* in not performing their Functions, which, after the Passing of the harmless *Bullet*, was without Doubt the Death of *Mr. Allen*.

In the Reign of *Charles the First*, the State of Religion being very disordered and corrupt, and the Cause of great Confusion, the People in their Fifth *Proposition* to the KING, desired that Matters in Religion should be left to the Regulation of *Parliament*, it being of high Importance to the State, that the *National Religion*, especially, should be *consistent*, and rational, and tending every way to the Good of Mankind: but can such a Religion as has been just described be said to be *consistent*, or rational, or tending every Way to the publick Good? As it is totally subversive of all Law and Justice, I am sure it cannot; and therefore if such a Religion be predominant, be cherished, fostered, and received into the *Glosets* of People, who, though in Sense the meanest, may be perhaps in Power some of the highest in the State: the *Disorders* in Religion now subsisting will require the *Inspection*, and *Settlement*, of a *learned*, *able*, and *honest* PARLIAMENT, as much as in the Time of *Charles the First*.

Especially in that *Article*, which so nearly affects the Distribution of Law and *justice*, that while it is taken to be the Sense of the Established Religion, to which by their Office they are supposed to assent and conform, I do not see how my Lord Chancellor, or the twelve Judges, can attempt to try another Offense in Law or Equity, or arraign another Criminal.

For can my LORD CHANCELLOR, or the *Reverend* the JUDGES, declare that such a *System* of RELIGION is consistent with their *System* of LAW? And that it is not a *Solecism* in Government to admit of two *opposite* SYSTEMS?

These are the Effects which the Notion of *absolute* PREDESTINATION must have upon the *Administration* of JUSTICE.

I say but little at present, how far it operates as a Species of *Atheism* in Disguise, against Religion, by tending to destroy all *Devotion*: because this does not so immediately concern the Lawyers, as such, since they may proceed upon Business

Business purely their own, upon Supposition that Man is a *Moral Agent*, and that there is such a Thing as a *practicable Rule* of Action. But Religion requires for its Existence something more, the Notion of the Being of a God, and the Signification of his Will; it looks to future Judgment from God Almighty, and supposes that equal and merciful Intercourse and occasional Commiseration and Assistance from God, which an *inflexible*, iron-hearted *Predestination* totally destroys: which will therefore embarrass a Magistrate, much more, that has any Mixture of the *Ecclesiastick* in his Character, because this Man is to *unite* in his own *Person* and *Conduct* two opposite Systems: and, therefore, if he governed by such Principles, in his more exalted and complex Sphere of Action, must not only unavoidably overturn the Law, and pardon those, whom the Law has condemned as was before observed; but also supposing him to bear the Title of *Defender of the Faith* and *Head* of the CHURCH, be driven to great Inconsistencies in the Maintenance of the outward Acts and Solemnities of Religion: particularly occasional Fastings, and Thanksgivings, which must be all a Farce, if God be an unrelenting, unmerciful *Predestinarian* God; never regarding, or accommodating himself to the *changeable* Conditions and Dispositions of Man, but governing by the same universal and invariable Laws in the *Spiritual* World, as he does in the *Natural*. The great Affair of a *future Judgment* also, or a *future State* of Rewards and Punishments, depending upon Man's *Free-Agency*, could be an *Article* of FAITH no longer: the Appearance of Piety would be all Hypocrisy, and both Law and Religion, losing the Support of a solid Foundation, must fall to the Ground together.

These would be no more than *natural* Consequences, were a *Methodist* to be KING. And, therefore, it ought to be a Lesson of Prudence to a Prince, to be careful how he *espouses* a Religion, which has such a *Tendency*, and even how he raises a *Suspicion* that he is so disposed, by such Tokens of it, as choosing his *Chaplains* from People of that Cast, suffering their *Conventicles*, as *James II.* did his *Mass-houses*, to be erected in and about the *Palace*. Because this Conduct would awaken the Attention of the People, and give them Suspicion that the King was labouring to make the RELIGION, he *secretly* espoused, the *National* Religion: and that the *Discouragement* and *Oppression* of the *Rational* CLERGY, and the frequent Admission of ignorant Tradesmen into the *Orders* of Church, were so many Steps taken to abolish the Church, and establish *Methodism* in its Room; which, by adopting absolute *Predestination*, and making so little

Account



Account of the *natural* Distinctions of *Moral Good and Evil*, must be diametrically opposite to the *fundamental* LAWS of the Land, and the present Distribution of JUSTICE, as well as the *Fundamentals of true RELIGION*.

## NOTE II.

*An Extract from The St. James's Chronicle, of*  
Saturday, December 10, 1768.

TO the PRINTER of THE ST. JAMES'S CHRONICLE.

S I R,

I Send you the following authentic State-Paper, the Date of which, prior more than three Weeks to the fatal 10th of May, shews how long the horrid Massacre in St. George's Fields had been planned and determined upon, before it was carried into Execution; and how long a hellish Project can be brooded over by some infernal Spirits, without one Moment's Remorse.

## C O P Y.

S I R,

*St. James's, April 17, 1768.*

HAVING already signified the King's Pleasure to the Lord-lieutenant of the County in which you reside, with Regard to the Measures to be taken *in general* for preserving the Peace at a Time that so very riotous a Disposition hath discovered itself among the common People, I make no doubt but either some Steps have, or will immediately be taken by him on that Head; and, I take it for granted, that, as Chairman of the Sessions, you will meet the Gentlemen, who act in the Commission of the Peace for the Borough of Southwark, and East-Hundred of Brixton, to consult together, and fix upon some Plan for securing the publick Tranquillity against any Mischiefs which may happen, should the same indecent Spirit of Tumult and Disorder, which has appeared in the City and Liberties of Westminster, spread itself to those Parts, which are within the Line of your Duty; and though I am persuaded it is unnecessary to suggest to you, or the Gentlemen who will meet you, any Part of your Duty upon such an Occasion, yet, after the recent alarming Instances of Riot and Confusion, I can't help apprizing you, that much will depend upon the preventive Measures which you shall, in Conjunction with the other Gentlemen in the Commission of the Peace, take, upon your Meeting, and much is expected from the Vigilance and Activity with which such Measures will

will be carried into Execution. When I inform you, that every possible Precaution is taken to support the Dignity of your Office; that upon Application from the Civil Magistrate at the Tower, the Savoy, or the War-Office, he will find a Military Force ready to march to his Assistance, and to act according as he shall find it expedient and necessary, I need not add, that if the publick Peace is not preserved, and if any riotous Proceedings, which may happen, are not suppressed, the Blame will, most probably, be imputed to a Want of prudent and spirited Conduct in the Civil Magistrate. As I have no Reason to doubt your Caution and Discretion in not calling for Troops till they are wanted; so, on the other hand, I hope you will not delay a Moment calling for their Aid, and making use of them effectually where there is Occasion; that Occasion always presents itself, when the Civil Power is trifled with and insulted; nor can a Military Force ever be employed to a more constitutional Purpose, than in the Support of the Authority and Dignity of Magistracy. I am, &c.

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P. S. I have, for the greater Caution, sent Copies of this Letter to the Members for the Borough, and Mr. Pownall. If you should have received no Directions from lord Onslow for a Meeting, you will consider this as sufficient Authority for that Purpose.

*Daniel Ponton, esq. Chairman of the  
Quarter-Sessions, at Lambeth.*

Of the Nature and Tendency of such a Warrant as this, see also Note III. Appendix of my first Sermon.

#### NOTE III.

*From the LONDON GAZETTE.*

*St. James's, March 11. 1769.*

**H**IS Majesty has been graciously pleased to extend his Royal Mercy to Edward M<sup>r</sup>Quirk, found guilty of the Murder of George Clarke, as appears by the Royal Warrant to the Tenor following.

**G E O R G E R.**

**W**HEREAS a Doubt has arisen in our Royal Breast concerning the Evidence of the Death of George Clarke, from the Representations of William Bromfield, Esq; Surgeon, and Solomon Starling, Apothecary; both of whom, as has been represented to us, attended the Deceased before his Death, and expressed their Opinions that he did not die of the Blow he received at Brentford. And whereas it appears to us, that *neither* of the said Persons were produced

duced as *Witnesses* upon *the trial*, though the said Solomon Starling had been examined before the Coroner, and the *only* Person called to prove that the Death of the said George Clarke was occasioned by the said Blow, was John Foot, Surgeon, *who never saw the Deceased till after his Death*; we thought fit thereupon to refer the said Representations, together with the Report of the Recorder of our City of London, of the Evidence given by Richard and William Beale, and the said John Foot, on the Trial of Edward Quirk, otherwise called Edward Kirk, otherwise called Edward M'Quirk, for the Murder of the said Clarke, to the Master, Wardens, and the rest of the Court of Examiners of the Surgeons Company, *commanding them* likewise to take *such further Examination of the said Persons so representing, and of said John Foot, as they might think necessary,* together with the Premises above-mentioned, to form and report to us their Opinion. "Whether it did or did not appear to them, that the said George Clarke died in Consequence of the Blow he received in the Riot at Brentford, on the 8th of December last," And the said Court of Examiners of the Surgeons Company having thereupon reported to us their Opinion, "That it did not appear to them that he *did*;" We have thought proper to extend our Royal Mercy to him the said Edward Quirk, otherwise Edward Kirk, otherwise called Edward M'Quirk, and to grant him our free Pardon for the Murder of the said George Clarke, of which he has been found guilty; Our Will and Pleasure therefore is, That he the said Edward Quirk, otherwise called Edward Kirk, otherwise called Edward M'Quirk, be inserted, for the said Murder, in our first and next general Pardon that shall come out for the poor Convicts of Newgate, *without any Condition whatsoever*; and that in the mean Time you take *Bail* for his Appearance, in order to plead our said Pardon. And for so doing this shall be your Warrant. Given at our Court at St. James's, the 10th Day of March, 1769, in the Ninth Year of our Reign.

By His Majesty's Command.

ROCHFORD.

To our trusty and well-beloved James Eyre, Esq; Recorder of our City of London, the Sheriffs of our said City and County of Mddlesex, and all others whom it may concern.

## NOTE IV.

*Some Reflexions upon the Pardon of M<sup>r</sup> Quirk; as whether such a Person could be a proper Object of Mercy; or whether it proceeded from some other Motives.*

If M<sup>r</sup> Quirk were an Object of Mercy, he must appear so, not from the ill-founded *Supposition* that he was not the Murderer of Mr. Clarke, because we shall see, that such a *Supposition* cannot be admitted; or, if admitted, can go no farther than raising a Doubt, which alone can never make a Man an Object of Mercy, without some *real* or *positive* Marks of Innocence, or of a Disposition contrary to the *Nature* of his CRIME.

In the *first* Place the *Supposition*, that he was not the Murderer of Mr. Clarke, or that the Blow he gave him did not kill him, or prove the Cause of his Death, is no way reasonable, or has no Foundation. For Mr. Wm. Beale, one of the *Evidence*, swears, both before the *Coroner* and upon the *Trial*, that Mr. Clarke declared from the Beginning of his Illness “that he believed the *Blow* he “received at Brentford would be the Cause of his Death”—now let me ask—Is not the *Evidence* of a Person *injured*, who has declared that he should die of the *Injury* he complained of, and *dies* accordingly, having no *other Disorders*, but what such an *Injury* might produce, which are always the *Consequences* of it, and certain *Symptoms* of Death proceeding from such *Injury*, is not this *Evidence* sufficient to convince a REASONABLE and HONEST *Jury*, or any *private* Man, that rejudges the Cause with Reason and Honesty, what was the Cause of his Death?—There seems to be no Occasion for the Opinion of Surgeons in a Case so clear in *Law*, as this.—But if after the Death of Mr. Clarke this *Declaration* of his made before Witnesses, should be confirmed by the *Evidence* of an able SURGEON, and yet another Person (suppose a Surgeon) should be base enough to suggest (for † *prove I am sure he cannot*) the *contrary*; is the bare *Suggestion* of ONE Man to be admitted against the *Evidence* of TWO?—A Man too, who might *be paid*, or *expect to be paid*, for his *Suggestion*, and who never offered himself as an *Evidence* in Court; or attended upon the *Coroner's Inquest*. But if he had; is his *Evidence* to be admitted against the

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† See Mr. Foot's Appeal to the Publick—*Ingram Dissected*, &c. and a Letter to Mr. Ingram.



clear Evidence of Mr. *Clarke*, and that too confirmed by the *Fact*, or *Event*, which from his Sufferings he predicted, his Death? Could not Mr. *Clarke* give a better Account of what he felt from his *Illness*, than any *Surgeon* could for him? Is not a Man *himself* the best Judge of *what he feels*? And is not his own Account to be credited in such a Case before that of another, and most especially if that other be his Adversary?

As yet then, there appears no *reasonable* Foundation for Doubt from this *Quarter*. But admitting that this *Man's Suggestion* went so far as to raise a DOUBT, yet a Doubt carries with it no Manner of Recommendation; and can never of itself make a Man an Object of Mercy and Commiseration—If it be supposed so to do—I think I have a Right as a *Divine* of the Church of *England*, and a *Casulist* lawfully authorised, to reason a little upon the Nature and Consequences of such *Sort* of Doubts, lest they should be drawn into a *Precedent*, and happen more than once. In Spite therefore of all *Methodist* TEACHERS and CONFESSORS (who in the Dominion they may have over some People's Consciences, hold a Place very familiar to *Papish* Confessors) I do *ex Officio* affirm, that in a Case of *doubting*, there is always at least as much *Evidence* on *one Side* as on the *other*. For otherwise one of the *Scales* would preponderate, and then it would be a *Doubt* no longer: so that while it is a *Doubt*, the *Evidence* on both *Sides* is of equal *Force*; and therefore the *Forces* being equal, and contrary, they must, by all the Rules of *Casultry*, as well as *Mechanicks*, destroy each other. Now in this Case the *Progress* of the *human Understanding* is such, (for I am not speaking of other Understandings) that the *Mind* must have Recourse to some *other Expedient*, and fetch it's Information from another *Quarter*.

To make the *Malefactor* then abovementioned, upon his *own Account*, an *Object* of Mercy (setting aside the canvassing of the Matter, for which he was condemned) he should have appeared to have been in *other Respects* a Person clear of all *Imputations* of this Sort; never before disposed to *Violence*, nor used to *Violence*: for otherwise his *Pardon* must proceed from other *Motives*, and not from any Thing *pityable* in his own Character; which *Motives*, though as apparent as the Sun at Noon-day, it may be more proper to *guess* at, for the present, than to *name*, as *Murderers*; have such powerful Friends, and the *Laws* of *England*, in punishing their Accomplices, are not so full, or so well executed as they ought to be.

For so far was this *Assassin* from being an Object of Com-

passion, that he appears to have been *hardened* in his Crime, and a *Ruffian* by Profession; that his Trade and Practice has been *Violence*; that he should have been *indicted* again on the 7th of last April, but that the *corrupt* Part of the County being on the *Fury* rejected the *Bill*; that he now actually stands indicted for another most barbarous Murder committed at the same Time with that of Mr. *Clarke's*, on the Body of Mr. *Hopkin's*; and, therefore, the Man who raised this Doubt in the *Mammà Regiâ*, or Royal Breast, to prevent his Execution, ought to pay the Debt to Society for the Loss of its Subjects in his own Person, and though he should turn out to be an *Holy Methodist*, suffer in his stead.

The following *Extracts* from the publick Papers shew the Truth of these Assertions.

I. Whereas Edward Quirk, otherwise Kirk, otherwise M'Quirk, was lately convicted of the Murder of George Clarke, and received a free Pardon, and was bailed out of Newgate: And whereas a Bill of Indictment was yesterday preferred to the Grand Jury of the County of Middlesex, at Hicks's-Hall, and found to be a true Bill, against the said Edward Quirk, otherwise Kirk, otherwise M'Quirk, for the Murder of George Hopkins, (late Headborough of the Parish of St. Leonard, Shoreditch) at Brentford, on the 8th Day of December last: And whereas the said Edward Quirk, otherwise Kirk, otherwise M'Quirk, having been so discharged on Bail, did not appear to plead his Pardon:

That he may not, by such means, escape being brought to Trial, any Person who can give intelligence of the said Edward Quirk, otherwise Kirk, otherwise M'Quirk, so that he may be apprehended, shall receive a Reward of ONE HUNDRED POUNDS, to be paid by me.

CHA. MARTIN.

St. Martin's-street, Leicester-fields, May 13, 1769.

N. B. The said Edward Quirk, otherwise Kirk, otherwise M'Quirk, is a very tall and strong Irishman, usually plied as a Chairman in and about Covent-Garden, but sometimes worked as a Coalheaver, and is commonly called the Infant. *Gazetteer*, May 17. p. 1.

II. It appeared to the Jurors on the Coroner's Inquest, taken upon the Body of Mr. George Hopkins, Headborough, of St. Leonard, Shoreditch, on the 4th of January last; that while at Brentford (December 8.) he received, from some Person or Persons unknown, several violent blows, during the Disturbance there, which must have been wilfully

wilfully given him; and that since that Time, and from those Blows, he had lingered in great Pain twenty-six Days, when he died in great Agony. *Middlesex Journal, May 18.*

III. The Piece of Scull taken from the Head of the unfortunate Mr. George Hopkins, who was murdered at Brentford on December 8, last, is larger than a Crown Piece, and is now in the Possession of Mr. Meadows, late Surgeon of his Majesty's Ship the Experiment, who lives near the New-Inn Yard, Holloway-Mount, Shoreditch. *Gazetteer, May 16.*

Upon the Whole, this seems to be a black Affair. And if People can be tame Spectators of such Outrages as these, and wrap themselves up in a false Security, making a Sort of Merit of beholding with Indifference the Death and Calamities of their *Fellow-subjects*, using, as though it was a Mark of Prudence, such Sayings as these—*It is no Concern of mine;---for my Part I never meddle or make---* Which Speech, if it means any Thing, implies, that these Villainies may, for any Thing they care, be transacted with Impunity; they must not wonder, since by thus betraying the common Safety, they richly deserve it, if they see occasionally those very Scenes of Blood and Violence introduced into their own Families, which they now can behold with such unfeeling Negligence in the Families of their distracted Neighbours. To stop the bloody Current of the Times, I have a Word of Advice to offer both to the horrid Attendants of the present staring, stupid, purblind Tyranny, and these infatuated *passive* Advocates for their Barbarities, which shall not be delivered in such strict and abstruse Reasoning, but that the *great* VULGAR, and the small, if they have *Ears to hear* may apprehend it. There are I perceive ignorant People in all Stations and Conditions; and for the Benefit of these there is an antient Kind of Instruction, called, in the Language of Scripture, a *Parable*, which was much in Use in the Times of the *Prophets*, especially when there was any *Danger* in speaking the Truth; and therefore to avoid *Offense*, frequently adopted by our Saviour himself: Therefore I suppose that I may without the Hazard of *Ridicule* or *Correction* follow, upon such an Occasion, his Example.

#### NOTE V.

*A Parable against Murder: being a Supplement to the 6th Chap. of the Book of Wisdom, beginning at the 25th Verse, newly translated from an Oriental Manuscript.*

25. Receive therefore Instructions through my Words, and it shall do you Good---A Proverb deceiveth the Wrath of the Mighty, and the Use of Similitudes, giveth Light to the Simple. 26. Know therefore and understand. For it  
came

came to pass in the Reign of Rehoboam, the Son of Solomon, when there was a *Falling-off* in *Israel*; that certain young Men of the King's Household, Men of *Belial*, had laid Hands upon a Man of *Israel* at the Door of the *Tabernacle* of the *Congregation*, and had put him in Bands,

27. And the Men of *Israel* were grieved for the Man, and said, behold now, this is not according to the \* *Manner* of the *KINGDOM* which was written in the Book, by *Samuel* the Prophet, and laid up before the Lord, in the Presence of *Saul* the KING of *Israel*, when they made him King in *Gilgal*.

28. And a small Company of the Men of *Israel*, when they heard these Words, went out into the Plain of *Jericho*, beyond *Jordan*, to see the Man; and spake kindly to the Man. And there was neither *Sword* nor *Staff* in the Hands of the Men of *Israel*.

29. Now it was so, that the Men of *Judah* began to be at Variance with the Men of *Israel*, and the Words of the Men of *Judah* were fiercer than the Words of the Men of *Israel*.

30. And the Men of *Judah* placed great Confidence in a Lion, and they said that it was the Lion of *Judah*, giving out that he was bred among them; and they were delighted with the same, insomuch that they painted his Image upon their Banners, and set him up for a Token when they went to War.

31. And

I.\* The X Sam. 10. 25. Then SAMUEL told the People the *Manner* of the *KINGDOM*, and wrote it in a Book, and laid it up before the Lord, &c. &c. The Hebrew is *Mishpat Hamclucah*, rather the *Settlement*, or *Determination* of the *KINGDOM*—this Book was the *Magna Charta* of the Jews. It appears from this remarkable Passage, 1st. That the *Kingdom* of *ISRAEL* was *Elective* from the Beginning, and founded upon a *Compact* between *Saul* and the People, wherein *Samuel* was the *Mediator* and the *Witness*---it was laid up before the Lord by him.---What if there were such an Officer now, as the Keeper of the *Magna Charta*---the *SPARTAN Ephorus* was an useful Man about a King.

II. It appears from hence that some of the People opposed this *Form of Government*, and were displeased with the *Choice*---For they said, how shall this Man save us? And they despised him, and brought him no Presents. Perhaps refused to pay their Taxes---but he held his Peace---had little to say for himself---was obliged to pacify them, Ch. XI. would not let a Man be put to Death---V. 15. could not be crowned till he had made an Agreement with them by *Peace-offerings*, which held the Place of a *Coronation Oath*.



31. And the Colour of the Lion, even of the Lion which was painted, was red as Blood, but the Lion of Judah should not be so.

32. And it came to pass, that while the Company of the Men of Israel were thus gazing upon the Place, a Lion and Tygres were let loose upon them, and slew many of them, and those that fell down by the Way side were about fourteen Souls.

33. And the Name of the Tygres, that was so named of the People of the Land, was *Bereſhith Ketonah Veſonah*.

34. And the young Men, even the young Men, the Counsellors of Rehoboam and his Servants, and his Scribes, mocked the Men of Israel. and said be not dismayed.

35. As for the Lion, behold he is a good Lion; for he eateth Grass like an Ox: he is the very Lion of Judah bred among us on that Side Jordan, where there went over a Ferry-boat for the People, and the † Overflowing of the River hath caused him to come forth into the Fields.

36. Albeit in his Passage he hath slain Baruch the Son of Allah, and divers others, yea and certain Women that were great with Child, yet hath he no Enmity to this People, neither is he delighted with the Smell of Man's Blood.

37. And for the Tygres who accompanieth him, and hath given him Suck, even the Tygres *Bereſhith Ketonah Veſonah*. Behold she hath the Face of a Lamb, and is far more gentle than all the Beasts of the Field.

38. And the Men of Israel saw, that they were in evil Plight, and they answered the Men of Judah roughly, and said we cannot believe your Words.

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† Mr. Maundrel in his Description of Jordan says, that in his Time it was so far from overflowing at the Season, that it ran at least two Yards within its Channel. That after having descended the outermost Bank, you go about a Furlong upon a level Strand, before you come to the immediate Bank of the River. This second Bank is beset with Bushes and Trees, so that you can see no Water till you have made your Way through them. In this Thicket anciently, and the same is reported at this Day, several Sorts of wild Beasts are wont to harbour themselves, who being washed out of the Cover, it gave Occasion to that Allusion. *Jerem. XLIX. 19. L. 44. He shall come up like a Lion from the Swelling of Jordan.* No sooner were we arrived at the River and dismounted, to satisfy that Curiosity and Devotion which brought us thither, but we were alarmed by some Troops of Arabs appearing on the other Side, and firing at us—Pug. 62.

39. And it came to pass, not long after, that the Time drew nigh when there should be a general Assembly of the People, after the Manner of the Children of Israel. And the People were gathered together at *Succoth*, which is by Interpretation the Place of a Booth.

40. And it was rumoured that a *Lion* and a *Bear* were coming from the East, and the Bear went in the high Way by the Side of the Lion, as though he had been one of his Household.

41. But the People regarded not the Report. For they said, we are not in the *Wilaerness*, nor yet upon the *Plain of Jericho*: and from the Time that the Children of Israel came out of *Egypt* to this Day was it ever heard that the wild Beasts of the Field were seen at *Succoth*?

42. Nevertheless, while they were yet speaking, the Lion and the Bear rushed in upon them, and without Respect of Persons, brake all their Bones. But the Remnant of the Men, who had fled for their Lives, returned upon the Bear to smite him, and had taken him in their Nets.

43. When behold the Lion sprang in upon the Men, and protected the Bear, and gnawed the Toils in Pieces, and set him at Liberty.

44. Then the People were greatly dismayed, and remembering the Fate of their Brethren, who were slain upon the Plains of *Jericho*, they said one to another, of a Truth the Lion is no Respector of Persons, is he not therefore a public Enemy?

45. And Tidings went throughout the Land that the People were all in Danger from the Lion. And there came a Man from the Mount of *Olives*, whose Name was *Keremlaal*, but his Kinsfolks, who were *Syro-Phœnicians* by Nation, called him *Krumbel*, the same was a mighty Man of Valour, even as *Jephtha*, and as *Gideon*, who judged Israel, when the Lord himself was their King: and he vowed a Vow unto the Lord, that he would tame the Lion.

46. And there followed him certain Men of the Tribe of Dan, who loved the Thing that was equal; and they sought the Lion in Dens, and in dark Places, and found him at Length in a Cave, which is called in the Hebrew Tongue *Bethcochab*, which is had in Remembrance unto this Day.

47. And behold the Bear ran violently down a Steep Place behind the Cave, and his Bowels gushed out at his Mouth, and of the Tygrcs there was nothing left, save only the Skull, and the Paws of the Fore-feet which were dyed with Blood.

48. And

48. And the Man, even the Man of Mount Olivet, *Kerem-baal* by Name, caught the Lion by the Throat, and cast him into the Place of the Den of Lions.

49. And in the Month *Tebeth*, on the 30th Day of the self-same Month, he brought him forth in the Presence of the People, and did unto him according to his Vow.

50. For he said, even as the Men of Israel had said, a Lion spareth no Man in his Rage. Can the Ethiopian change his Skin, or the Leopard his Spots?

51. And the Land had Rest forty and five Years.

## N O T E VI.

*The IMPORTANT QUESTION, touching the Rights of the PEOPLE to a free Choice of their REPRESENTATIVES, &c.*

**A**Mong the *Deficiencies* of the present Age, the Want of *Logick*, or the Art of knowing the *Right Use of Reason*, is greatly to be lamented; as Ignorance of this Sort keeps People bewildered upon Subjects of the highest Importance, and engages them often in Abuse, instead of strict Argument, which in the Investigation of Truth never meddles with any Thing, but what belongs to its Subject. To avoid therefore the Inconveniencies which arise from Wanderings, I have reduced what may be said upon the Question above-mentioned, to *fair* and *direct* SYLLOGISM, supposing it to have been agitated in the School of *civil Law* at OXFORD, between the *Respondent* Dr. BLUESTONE, and the *Opponent* Dr. FREE.

*Opponent.* SIR, what think you of the *present* Question?

“Whether or no are the Proceedings of an House of Commons, in depriving a Man, by their own Authority, of his Seat in Parliament, when not disqualified by Law, subversive of the Liberties of the People of England?”

*Respondent.* I deny it, (or hold it in the *Negative*.)

*Opponent.* It is affirmed---and therefore you are mistaken.

*Respondent.* Propose your *Argument*, (to shew the error.)

Syllogisin I.

MAJOR

*What deprives the People of the free Choice of their Representatives in Parliament, is totally subversive of the Liberties of the People of England.*

MINOR

*The Proceedings of the House of Commons, in depriving a Man, by their own Authority, of his Seat in Parliament, when not disqualified by Law, deprives the People of the free Choice of their Representatives in Parliament.*

**CONCLUSION.** { *Ergo.* The Proceedings of the House of Commons, in depriving a Man, by their own Authority, of his Seat in Parliament, when not disqualified by Law, are totally *subversive* of the Liberties of the People of England.

*Respondent.* I deny the MINOR, (Proposition).

*Opponent.* I prove the MINOR.

Syllogism II. { *What extinguishes the free Choice of the Representatives,* deprives the People of the free Choice of their Representatives.

MAJOR

MINOR

{ The Proceedings of the House of Commons, in depriving a Man, by their own Authority, of his Seat in Parliament, when not disqualified by Law, *extinguishes the free Choice of the People.*

**CONCLUSION.** { *Ergo.* The Proceedings of the House of Commons, in depriving a Man, by their own Authority, of his Seat in Parliament, when not disqualified by Law, deprives the People of the free Choice of their Representatives in Parliament.

*Respondent.* I deny the MINOR.

*Opponent.* I prove the MINOR.

Syllogism III. { *What insists upon a Power in the House to pronounce or RESOLVE at their Pleasure, any Man in England to be incapable of a Seat in Parliament; and to reject any Choice which shall be made in Opposition to such Resolutions,* extinguishes the free Choice of the People.

MAJOR

MINOR

{ The Proceedings of the House of Commons, in depriving a Man, by their own Authority, of his Seat in Parliament, when not disqualified by Law, *insists upon a Power in the House, to pronounce or resolve at their Pleasure, any Man in England, incapable of a Seat in Parliament; and to reject any Choice, which shall be made in Opposition to such Resolution.*

**CONCLUSION.** { *Ergo.* The Proceedings of the House of Commons, in depriving a Man, by their own Authority, of his Seat in Parliament, when not disqualified by Law, extinguishes the free Choice of the People.

*Respondent.* I deny the MAJOR.

*Opponent.* I prove the MAJOR.

*What*



Syllogism IV.	{	<i>What leaves the People no Objects, out of which to choose, but by the Permission of the House, extinguishes the free Choice of the People.</i>
MAJOR		
	{	But what insists upon a Power in the House to pronounce or resolve at their pleasure, any Man in England to be incapable of a Seat in Parliament; and to reject any Choice which shall be made in Opposition to such Resolution, <i>leaves the People no Objects, out of which to choose, but by the Permission of the House.</i>
MINOR		
	{	<i>Ergo.</i> What insists upon a Power in the House to pronounce or resolve, at their Pleasure, any Man in England to be incapable of a Seat in Parliament; and to reject any Choice, which shall be made in Opposition to such Resolution, extinguishes the free Choice of the People.
CONCLUSION.		

### A Short Comment upon the DISPUTATION.

HERE Dr. *Bluestone* is supposed to be at a *non plus*, and not able to deny the *Truth* any further: and so the DISPUTE is ended among *Logicians*, without *bloody Noses*, or even *hard Words*. If the Reader has a Mind to see these *Arguments* in a *Form* less intricate, they may be exhibited to him, step by step, in the more simple Appearance of a *Sorites*, where the *Conclusion* follows the naked *Mediums*, without the Complexity of *Figure*, somewhat after the manner of Mathematical Demonstration. As for example;

*Step I.* What insists upon a Power in the House of Commons to pronounce or resolve at *Pleasure* any Man in England, to be incapable of a Seat in Parliament, and to reject any Choice, which shall be made in Opposition to that Resolution, leaves the People no *Objects*, out of which to choose, but by the *Permission* of the House.

II. What leaves the People no *Objects* out of which to choose, but by the *Permission* of the House, extinguishes the *free Choice* of the People.

III. What extinguishes the *free Choice* of the People, deprives them of the free Choice of their Representatives.

IV. What deprives them of the free Choice of their Representatives, is totally subversive of the Liberties of the People.

But the Proceedings of the House of Commons in rejecting a Man by their own Authority, from his Seat in Parliament, when chosen by the Majority of the People, and not disquali-

lified by Law, deprives them of the free Choice of their Representatives, and,

Therefore, such *Proceedings* are totally subversive of the Liberties of the People of England.

By this *Series* of ARGUMENT, the *Proposition*, which at the Beginning of the Dispute was the *Question*, is now a Proposition *proved*; by which it appears, that the Privilege of Election, so *over-ruled*, is not the privilege of Election, which we have hitherto enjoyed under the *English* Constitution; but directly opposite to the End and Design of that Privilege, which was to give the People a Power of *choosing*, *paying*, and *maintaining*, an *Attorney* or *Representative* of their own in the *Wittena-gemot*, or great Council of the Land, who might be active for the preservation of their *Rights* and *Privileges*.

Whereas, if the late *Mode* of Proceeding be *constitutional*, the *Representative* may be a mere useless *Cypher*, nay perhaps a detrimental *Cypher*, a *Cypher* that may encrease an opposite Power. He is not *paid* by the *People*; but perhaps by *somebody else*; not *elected* by the *People*, but by the Members of that *Body* called the House, which the *People* were anciently *accustomed* to elect, and to whom, as to a *Court of Delegates*, they never gave this Power of *choosing* or *excluding* for them. For if the Person elected may thus *repeatedly*, as oft as he is chosen, be forbid to act or forbid to sit, the *People* can only be said to have the *Nomination*, and not the *Election*. For the *Choice* will always be in the *over-ruling* Power; which in Case of *Disagreement* with the *People*, or where their own *Interest* is concerned, they will never quit, which is a Practice, quite repugnant to the Idea of the *English Constitution*; and let it be founded upon what *Abuses* of Power, and bad *Precedents*, it will, a LAW should be made immediately to put a Stop to it, for the future; and fairly declare, that the *Elections* of the *People* are not to be *over-ruled*. In this written Law also, some *Provision* should be made against another *anti-constitutional* Encroachment of the House of Commons, in claiming an *Independency* on the *Laws* of the Land. For if the House of Commons can carry these two Points:---  
1<sup>st</sup>. That of *making* the Members of their own House themselves  
---and 2<sup>dly</sup>. That of *assuming* an unlimited Power in their *Resolutions*, or a Power of calling them *Laws*, and thereby placing vague and irregular Counsels above the *permanent* Laws of the Land, to which they may be often as opposite, as they are one to another; their *Votes* and *Resolutions* will be made our *Rule* of Action; both the *Laws* and the *Lawyers* will be of no Consequence; the *Dictators* will be *Masters* without Controul; and the *People* totally enslaved

to an House of Commons: as they in their Turn by Places and Pensions may be enslaved to the Prince, who will then be *Master General of all the Slaves*, which unfolds such a *dreadful Scene*, as, I think, no Man would *wish to live to see*. A Scene of TYRANNY compleat on one Hand; and universal SLAVERY on the other,---which can never be effected but by the *Corruption* of an House of Commons. And will the honest Part of *that House*, will the honest *Part of this Nation*, conspire with the abandoned, in enslaving their own Families? Forbid it Heaven!---For my own Part I am for transmitting to *Posterity*, that share of FREEDOM, which I received from my Ancestors, and I make these Struggles, though forced by OPPRESSION into a Station not worth contending for, to shew that according to my Power, I am not *unmindful of the general Trust*, and desirous to avoid the Infamy of being branded as a *Traitor to their Cause*, the *Cause of future Liberty*, by the *Generations*, that are yet to come.

JOHN FREE.

**BOOKS** which have been written by the Rev.  
Dr. FREE, and sold at his House at New-  
ington Butts, and such Booksellers as he  
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Author's intended Dedication to his Royal High-  
ness Prince George, now King George III. PART I. printed  
in 1749, and containing an Account, I. Of the *Roman* or  
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*British* or *Welsh*, and its antient and present Limits. III. Of  
the *Pyhtas*, corruptly called *Picts* by the *Romans*; their  
Settlement in the *North of Britain*; the Original of their  
Name, and the Nature, Extent, and Duration of their  
Language. IV. Of the *Scots* from *Ireland*; and the Extent  
of the *Eerse* Language; in order to distinguish it from the  
*English* in the *North of Britain*, which vulgarly passes under  
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N. B. This Book was written by Permission of his late  
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4. OC 58

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4. His Edition of Mr. *Wesley's* second Letter, &c.

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6. Dr. Free's



BOOKS written by the Rev. Dr. FREE, &c.

6. Dr. Free's whole Speech to the *London Clergy* at *Sion College*, May 8, 1759, with a Remonstrance to the Bishop of *Winchester*: That printed in the *Monitor* is imperfect.

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1. A Speech at the *Town-Hall*, in *Oxford*, before the Mayor and Aldermen, upon taking up his Freedom of the City, July 30, 1753; containing a concise Account of the *English Constitution* both old and new; and of the Rise and Progress of the modern Part of that Assembly, called the *Parliament*.

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